
EXHIBIT D

From: Michael Shore
Sent: Monday, September 29, 2014 3:46 PM
To: Yoon, James
Cc: Alfonso G Chan; Ari Rafilson; Dustin Lo
Subject: Mitek

Mr. Yoon,

I am writing to memorialize our call.

1. WSGR will be withdrawing from the case within 2 weeks, perhaps as early as next week.
2. Mitek found RMII's settlement proposal so "beyond the pale" that RMII will not meet. In effect, Mitek bought extra time under false pretenses.
3. Mitek will not, or cannot, provide any legal or factual basis for the RMII demand being unreasonable.
4. I conveyed to you that the offer would remain open as is until new counsel appeared, at which time RMII would simply sue every customer/direct infringer and not entertain any "wholesale level" settlement offers.

In essence, your client is too small to afford to play in the space, so it needs to be put out of business through horrific indemnity obligations. In light of their bad faith conduct to date, I am happy to be the agent of their demise.

RMII will be moving to have WSGR disgorge all work product shared with new counsel, as well as all work product previously shared with Mitek. Please preserve all of that material.

Michael

Sent from my Windows Phone